

§ 735.103

regulations in §§ 735.100 through 735.105 and the Act.

(f) *Application form.* Application for a provider agreement shall be made to the Secretary on forms prescribed and furnished by the Service.

[59 FR 15039, Mar. 31, 1994, as amended at 62 FR 33540, June 20, 1997; 64 FR 54511, Oct. 7, 1999]

§ 735.103 Audits.

(a) The provider must submit to the Secretary an annual audit level financial statement that meets the requirements of § 735.5 with the exception of §§ 735.5(d)(1), (e), (g), and (h); and an electronic data processing audit. These audits shall encompass the provider's fiscal year. The completed audits shall be submitted to the Secretary no later than four calendar months following the end of the provider's fiscal year. The electronic data processing audit shall result in an evaluation as to current computer operations, security, disaster recovery capabilities of the system, and other systems.

(b) The provider will grant the Secretary or his designees unlimited, free access at any time to all records under the provider's control relating to activities conducted under this part and as specified in the provider agreement.

[59 FR 15039, Mar. 31, 1994]

§ 735.104 Provider-user relationship.

(a) The provider shall not discriminate among its users regarding use of and access to its CFS and must charge fees on an equal basis to all users for its services.

(b) The provider must furnish the Secretary with copies of its current schedule of fees for all services and charges as they become effective.

(c) Fees charged any user by the provider must be in effect for a minimum period of one year.

(d) Providers must furnish the Secretary and all users a 60 calendar day advance notice of their intent to change any fee.

[59 FR 15039, Mar. 31, 1994]

§ 735.105 Security.

(a) Security must be in accordance with the standards set out in the provider agreement.

7 CFR Ch. VII (1-1-00 Edition)

(b) Security copies of the system are to be maintained off-site. Both on-site and off-site record security must be maintained.

[59 FR 15039, Mar. 31, 1994]

PART 736—GRAIN WAREHOUSES

DEFINITIONS

Sec.

736.1 Meaning of words.

736.2 Terms defined.

WAREHOUSE LICENSES

736.3 Application form.

736.3a All facilities to be licensed or exempted.

736.4 Scales; bin numbers.

736.5 [Reserved]

736.6 Financial requirements.

736.7 Grounds for not issuing license.

736.8 Posting of license.

736.9 Warehouse license; suspension; revocation.

736.10 Return of suspended or revoked license.

736.11 Lost or destroyed warehouse license.

736.12 Unlicensed warehousemen must not represent themselves as licensed.

WAREHOUSE BONDS

736.13 Bond required; time of filing.

736.14 Amount of bond; additional amounts.

736.15 Amendment to license.

736.16 New bond required each year.

736.17 Approval of bond.

WAREHOUSE RECEIPTS

736.18 Form.

736.19 Grain must be inspected and weighed.

736.20 Copies of receipts.

736.21 Lost or destroyed receipts; bond.

736.22 Printing of receipts.

736.23 Partial delivery of grain.

736.24 Return of receipts before delivery of grain.

736.25 Nonnegotiable receipts.

736.26 Omission of grade; no compulsion by warehouseman.

736.27 Loading out without weighing.

736.28 Persons authorized to sign receipts.

736.29 Receipts; basis for issuance.

736.30 Receipts for stored grain.

736.31 No receipts for screenings.

736.32 Canceled receipts; auditing.

DUTIES OF WAREHOUSEMAN

736.33 Insurance; requirements.

736.34 Records; safe keeping.

736.35 Warehouse charges.

736.36 Business hours.

736.37 System of accounts.

736.38 Reports required.